

## CHAPTER 73

### TELEPHONE RATES

#### **§7301. Telephone charges for local calls from pay telephones**

The rate charged by a telephone utility for a local telephone call made from a public or semipublic pay telephone shall be the same throughout its service territory for calls of equal duration. [PL 1987, c. 141, Pt. A, §6 (NEW).]

#### SECTION HISTORY

PL 1987, c. 141, §A6 (NEW).

#### **§7302. Toll-call rates for deaf, hard-of-hearing, late-deafened or speech-impaired persons**

**1. Rate reduction.** The commission shall establish a 70% rate reduction for usage-sensitive intrastate toll calls made on lines, or via credit cards assigned to lines, used for making calls from certified deaf, hard-of-hearing, late-deafened or speech-impaired persons who must rely on telecommunications devices for the deaf for residential telephone communications. In addition, the 70% rate reduction must apply to all usage-sensitive intrastate toll calls using the state telecommunications relay service. Upon request, this discount must be provided to any noncertified user making calls to a certified user, provided the noncertified user informs the intrastate toll provider of the relevant billed calls made during each billing period. This reduction must also apply to intrastate toll calls made by agencies certified by the Division for the Deaf, Hard of Hearing and Late Deafened in the Department of Labor as eligible to receive a discount, while providing vocal relay services to deaf, hard-of-hearing, late-deafened or speech-impaired persons, as well as to community service centers serving deaf, hard-of-hearing, late-deafened or speech-impaired persons certified by the Division for the Deaf, Hard of Hearing and Late Deafened of the Department of Labor as eligible to receive a discount. The costs incurred by an intrastate toll provider under this subsection are just and reasonable expenses for rate-making purposes.

[PL 2009, c. 174, §23 (AMD).]

**2. Customers qualifying for the reduction.** To qualify for the reduction, a customer must file an affidavit, on a form approved by the commission, with the customer's intrastate toll provider, stating that, due to deafness, hearing impairment or speech impairment, the customer or a member of the household must rely on a telecommunications device for the deaf for telecommunications.

[PL 2009, c. 68, §2 (AMD).]

**3. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Deaf person" has the same meaning as in section 8702, subsection 3. [PL 2009, c. 68, §3 (NEW).]

B. "Hard-of-hearing person" has the same meaning as in section 8702, subsection 3-A. [PL 2009, c. 68, §3 (NEW).]

C. "Speech-impaired person" has the same meaning as in section 8702, subsection 5. [PL 2009, c. 68, §3 (NEW).]

D. "Telecommunications device for the deaf" has the same meaning as in section 8702, subsection 6. [PL 2009, c. 68, §3 (NEW).]

[PL 2009, c. 68, §3 (NEW).]

#### SECTION HISTORY

PL 1987, c. 141, §A6 (NEW). PL 1989, c. 66 (AMD). PL 1993, c. 275, §1 (AMD). PL 1993, c. 589, §13 (AMD). PL 1993, c. 708, §J10 (AMD). PL 1995, c. 462, §A66 (AMD). PL 1995, c. 560, §F15 (AMD). PL 2009, c. 68, §§1-3 (AMD). PL 2009, c. 174, §23 (AMD).

**§7303. Mandatory local measured telephone service prohibited**

**(REPEALED)**

SECTION HISTORY

PL 1987, c. 141, §A6 (NEW). PL 2017, c. 73, §5 (RP).

**§7303-A. Basic service calling areas**

**1. Petition.** Upon written petition of 50 or more customers of a local exchange carrier who receive local, flat-rate, basic service within no more than a single exchange area, the commission shall open a proceeding to investigate expanding that basic service calling area. The commission shall hold at least one public hearing. The commission, within 6 months of the filing of the written petition, shall issue an order that must either expand the basic service calling area or state the commission's reasons for refusing to expand the basic service calling area. If the commission expands the basic service calling area pursuant to this subsection, the commission may allow a carrier affected by the expansion to recover, to the extent reasonable, its costs, including lost revenues, attributable to the expansion.

[PL 2001, c. 106, §1 (NEW).]

**2. Rules; limitation on petitions.** No later than 30 days after the effective date of this subsection, the commission shall by rule establish standards for expanding single-exchange basic service calling areas pursuant to this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A. A petition may not be filed with or accepted by the commission pursuant to subsection 1 prior to 30 days after the effective date of this subsection.

[PL 2001, c. 106, §1 (NEW).]

SECTION HISTORY

PL 2001, c. 106, §1 (NEW).

**§7304. Prohibition against ordering competitive bidding**

**(REPEALED)**

SECTION HISTORY

PL 1989, c. 444 (NEW). PL 1991, c. 54, §1 (RPR). PL 1991, c. 54, §2 (AFF). PL 2017, c. 73, §6 (RP).

**§7305. Notice of charges for use of public telephones**

**1. Notice of charges.** Any person who owns, controls, operates or manages a public telephone shall provide a written notice within the immediate vicinity of the telephone and plainly visible to any person using the telephone. The notice must:

A. Identify the name, address and telephone number of the person who owns, controls, operates or manages the public telephone to whom complaints regarding that telephone may be directed; [PL 1989, c. 651, §2 (NEW).]

B. Inform the person using the public telephone how to contact a local telephone company operator or "911" service operator in case of emergency; [PL 1989, c. 651, §2 (NEW).]

C. Specify the rates or charges for use of the public telephone, including charges for local calls, intrastate calls, "800" or other toll-free calls, uncompleted calls, incoming calls, collect calls, 3rd-party calls and credit card calls; and [PL 1989, c. 651, §2 (NEW).]

D. Contain the identity of the long-distance company that serves the public telephone, explain how the user of the public telephone may, at no charge, obtain information on the rates or charges imposed by the long-distance company, and any additional charges imposed on the user for long distance services. [PL 1989, c. 651, §2 (NEW).]

[PL 1989, c. 651, §2 (NEW).]

**2. Charges limited when no notice.** Any person who owns, controls, operates or manages a public telephone and fails to provide the notice required by subsection 1 may not demand or receive compensation for use of the telephone in excess of charges imposed by the local exchange telephone utility serving that area with respect to that use.

[PL 1989, c. 651, §2 (NEW).]

#### SECTION HISTORY

PL 1989, c. 651, §2 (NEW).

#### **§7306. Customer premise wire**

**(REPEALED)**

#### SECTION HISTORY

PL 1991, c. 318, §1 (NEW). PL 2017, c. 73, §7 (RP).

#### **§7307. Notice of intrastate toll rate changes**

**(REPEALED)**

#### SECTION HISTORY

PL 2001, c. 29, §1 (NEW). PL 2007, c. 478, §2 (AMD). PL 2017, c. 73, §8 (RP).

#### **§7308. Prepaid calling service**

**(REPEALED)**

#### SECTION HISTORY

PL 2007, c. 511, §1 (NEW). PL 2017, c. 73, §9 (RP).

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